

# ARIZONA STATE BOARD OF DISPENSING OPTICIANS

## BOARD MEETING MINUTES

February 6, 2008

The Arizona State Board of Dispensing Opticians and held its regular meeting at 1400 W. Washington, Conference Room B-1, Phoenix, Arizona 85007. The Board meeting commenced at 1:00 p.m.

BOARD MEMBERS PRESENT: L. Dunn, Chairman, Licensed Optician  
S. Decker, Vice-Chairman, Licensed Optician  
B. Chandler, Secretary, Licensed Optician  
B. Bergier, Member, Licensed Optician  
P. Moore, Public Member

BOARD MEMBERS ABSENT: T. Smith, Public Member  
E. Evans, Licensed Optician

OTHERS PRESENT: L. Scott, Executive Director  
D. Walton-Lee, Assistant Attorney General

### Call to Order and Roll Call

L. Dunn, Chairman, called the meeting to order at 1:00 p.m. and roll call was taken.

#### I. Approval of Minutes

The Minutes of the teleconference Board meeting held on January 2, 2008 were approved as written.

#### II. Review Investigations (Discussion and Disposition)

07-016/017 Wal-Mart/Tindall – The Board reviewed the additional information provided regarding the glasses that were remade by Wal-Mart. The additional readings were within tolerance. The original pair of glasses dispensed by Wal-Mart in July 2007 were found to be out-of-tolerance. S. Decker moved that the Board find Wal-Mart and Ms. Tindall in violation of A.R.S. 32-1696 and A.A.C. R4-20-119A.1. B. Chandler seconded the motion. B. Bergier abstained from voting and discussion on this complaint. The motion failed. S. Decker moved that the Board find Wal-Mart in violation of A.R.S. §32-1696 and A.A.C. R4-20-119A.1. B. Chandler seconded the motion. The motion carried.

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### **II. Review Investigations (con't)**

S. Decker moved to offer a Consent Agreement to Wal-Mart to pay a \$500 Civil Penalty. P. Moore seconded the motion and it carried.

07-014 Cammie Wenzel – The Board reviewed the investigator's report. L. Dunn moved to find Cammie Wenzel in Violation of A.R.S. §§32-1681 and 32-1697. B. Bergier seconded the motion and it carried. S. Decker moved to offer a Consent Agreement to Ms. Wenzel to pay a \$1000 Civil Penalty. B. Bergier seconded the motion and it carried. S. Decker went on the record as to her motive for the severity of the penalty was that this violation had been going on for 10 years. Chairman Dunn instructed the Executive Director to revisit the optical where Ms. Wenzel works to ensure that she is not claiming to be a licensed optician in six months.

### **III. Miscellaneous Matters**

#### **A. Director's Report –.**

1. Budget – Ms. Scott informed the Board that the budget was on track for the fiscal year.
2. Travel Policy – Board members were provided with changes to the travel policy.
3. Renewals – Ms Scott informed the board that 620 renewal forms had been processed with 26 opticians not renewing their license this year.
4. Consolidation of Boards – Ms. Scott updated the Board on the issue of consolidation being kicked around by the Governor's staff. The other 90/10 Boards housed in the State Boards Office have responded to the Governor's staff with suggestions as to how to improve efficiency without consolidation and are awaiting further details.

### **V. Possible Violations**

Ms. Scott informed the Board about CJ Fashion selling cosmetic contact lenses. They have been mailed a letter notifying them of the violation and the Board office is awaiting their response. This will be placed on next months agenda.

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### IV. License Applications

S. Decker moved that the Establishment License Application for Sam's Club #4829 be approved. P. Moore seconded the motion and it carried.

S. Decker moved that the Reinstatement application for Patricia Stein be approved pending successful completion of the March practical exam. B. Bergier seconded the motion and it carried

### VI. Establishment Licensing

Ms. Scott informed the Board that letters had gone out to 42 locations operating optical establishments and she had received several responses. One question was as to licensing two locations when a doctor who is the owner is present primarily at one.

The Board went into Executive session for legal advice from council.

The Board returned to regular session.

### VII. Future Meeting Dates

A. March 5, 2008 – Exam – setup on March 4<sup>th</sup> at 2:30 pm

B. April 2, 2008

### VII. Future Agenda Items

A. 07-014 Cammie Wenzel

B. 07-016/017 Wal-Mart/Tindall

C. CJ Fashion.

D. Establishment Licensing

### VIII. Call to the Public

No one spoke up.

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The Board recessed to review applications for the March exam.

The Board returned to session.

B. Chandler moved that the following applicants be approved to take the practical examination on March 5, 2008:

Terrence Gaddy, Ina Tate, Cristen Creighton, Stephen Wright, Carol DelGrosso, Sandra Miranda, Linda Powers, George Grinstead, Laurie Mosby, Linda Kalous, Irene Huerta, Gloria Profitt, Jennifer Guitton, Nicole O'Brien, Jacqueline Whitlock, Angela C. Gilbert, Joyce Trandem, Magdelana Adcock, Donna Sharrow, Katie Jensen, Roselyn Rose, Alma Gomez, Nichole Johnson, Maria Valenzuela, Nicette Quintero, Debra Holden, MaryAnn Gross, Lisa Diggs, Jared Branch, Adrianna Conklin, Jennifer Davis, Doris Bates, Michelle Dyer, Rose Heim, Michelle Bizek, Sonia Duwyenie, Holly Bugera, Reina Medrano, Kimberly Bowers, Samantha Echevarria, Sara White and Barbara Crawford. P. Moore seconded the motion and it carried.

B. Chandler moved that the following applicant be approved to take the practical examination only after submission of additional documentation: Shelly Lupian, Sabrina Brannon, and Michelle Carbeck. P. Moore seconded the motion and it carried.

B. Chandler moved that the application for license by Comity for Willy Charles and the establishment applications for Eclipse Eyewear in Tempe and Arizona Optical Dispensers in Surprise be approved. P. Moore seconded the motion and it carried.

The meeting adjourned at 2:47 a.m. The next Board meeting will be on March 5, 2008 at 2:30 p.m.

Submitted by:

Lori D. Scott

Executive Director

Approved: \_\_\_\_\_

Date: \_\_\_\_\_